

HB 2972 A STAFF MEASURE SUMMARY

Carrier: Sen. Taylor

Senate Committee On Judiciary

Action Date: 04/24/17
Action: Do pass the A-Eng bill.
Vote: 4-0-1-0
Yeas: 4 - Dembrow, Linthicum, Prozanski, Thatcher
Exc: 1 - Manning Jr
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Prohibits universities and colleges from imposing, or threatening to impose, discipline or sanction for purpose of influencing student-victim's decision to participate in investigation or adjudication of sexual assault, domestic violence or stalking.

ISSUES DISCUSSED:

- Independent decision of victim
- Victim-centered and trauma-informed best practices; Title IX requirements
- Problems in other states

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Federal law requires certain institutions to collect and report information about crimes committed on campus. 20 U.S.C. 1092. In addition, Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in educational programs or activities that receive federal financial assistance. The United States Department of Education's Office of Civil Rights enforces Title IX and regularly investigates the manner in which colleges and universities handle cases of sexual assault. House Bill 2972-A prohibits universities and colleges from using discipline to encourage or discourage a student-victim from participating in an investigation or adjudication related to sexual assault, domestic violence or stalking.